

Application No. 09/986,067  
Response dated July 23, 2004  
Reply to Office Action of June 16, 2004

### **REMARKS**

Claims 2-4, and 13-16 are pending in this application, of which claims 2-4 and 13-16 have been amended. Claims 1, 5-12 and 17 have been cancelled. No new claims have been added.

Since the amendment herewith has not incorporated new limitations, it should be entered.

(1) Claims 1, 3, 4 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ito et al., Solid State Ionics, in view of Linden, Handbook of Batteries.

Claims 1 and 17 have been canceled. Claims 3 and 4 are amended to be dependent on amended claim 2, which has incorporated the limitations of claim 1. Reconsideration of the rejection is respectfully requested.

(2) Claims 1, 2 and 13-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Uchikawa et al. (JP Pat. No. 2000-243392) in view of Linden, Handbook of Batteries.

Claim 1 has been canceled. Claims 2 and 13-16 have been amended into independent forms by incorporating the limitations of claim 1.

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The Office Action asserts that in response to the Applicants' argument filed on June 3, 2004, the Applicants argued that Uchikawa et al. do not use ferrite as the positive active material, but the translation of Uchikawa et al. describes that the ferrite is the active material of the electrode (page 17, section 0024).

However, Uchikawa et al. use a ferrite, as recited in claim 6 and 7, as a starting material, but since the ferrite is subjected to the method of claim 1,  $\text{LiM}_x\text{O}_2$ , as recited in claim 5, is included as the final product of the positive active material. There is no disclosure that any ferrite is included as the positive active material in Uchikawa et al. Even if combining Uchikawa et al. with Linden, the invention of amended claims 2 and 13-16 cannot be obtained. Reconsideration of the rejection is respectfully requested.

(3) In view of the above, claims 2-4 and 13-16, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact the Limited recognition at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

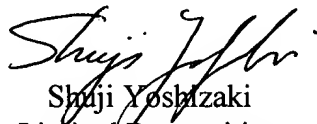
In the event that this paper is not timely filed, Applicants respectfully petition for an

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appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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